

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named	
Inventor	: Jong Lee
Appln. No.	: 09/016,159
Filed	: January 30, 1998
Title	: PURIFIED HUMAN ERYTHROPOIETIN RECEPTOR PROTEIN FRAGMENT AND ANTIBODIES DERIVED THEREFROM
Docket No.	: L535.12-0001

343

Group Art Unit: 1647

Examiner: Hamud, F.

PRELIMINARY AMENDMENT

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

SENT VIA FAX
to
703-746-5097

Sir:

Prior to an Examiner's first Action in the above-identified application, please enter the following amendments:

IN THE SPECIFICATION

Please remove the subject matter filed January 11, 1999 in the response to Notice To Comply With Requirements For Patent Applications Containing Nucleotide And/Or Amino Acid Sequence and Preliminary Amendment which gives rise to the Examiner's new matter rejection of ¶5 in Paper 25 (7/13/01 Office Action) and ¶3 of Paper 19 (09/26/00 Office Action).

IN THE CLAIMS

Please amend claims (marked up version attached in Appendix), such that pending claims are as follows:

gl 3. A fusion protein consisting of an upstream portion, a cleavage site, and a human erythropoietin receptor polypeptide consisting of a human erythropoietin receptor extracellular

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CERTIFICATION OF TELEFACSIMILE TRANSMISSION

Assistant Commissioner for Patents
Washington, D.C. 20231

703-746-5097

Sir:

I certify that the following papers are being telefacsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

1. Preliminary Amendment

KINNEY & LANGE, P.A.

Date: Sept. 10, 2002By: Z. Peter Sawicki

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7 PAGES - INCLUDING COVER PAGE